



Resolution 2336 (2020)¹

Time to act: Europe's political response to fighting the manipulation of sports competitions

Parliamentary Assembly

1. Sports integrity is at a decisive moment in its history, due to the recent coming into force of the Council of Europe Convention on the Manipulation of Sports Competitions (CETS No. 215, Macolin Convention) and the imminent setting up of its follow-up committee in autumn 2020.
2. Council of Europe member States must adopt appropriate laws and sanctions to uphold the integrity of sports competitions against manipulations, and provide awareness programmes and training in the ethics and integrity in the field of sport, to make sure that every athlete, coach or competition stakeholder understands the principles of fair play, and knows how to recognise, resist and report manipulations of sports competitions. However, the Parliamentary Assembly recalls that the manipulation of sports competitions is a global phenomenon of organised crime, often involving money laundering, corruption, bribery or illegal betting, and it can only be tackled effectively through a common political commitment and legally binding international co-operation in the fields of information exchange, data protection, law enforcement and criminal justice.
3. The Assembly deplores that in five years only seven member States of the Council of Europe have ratified the convention, 31 other States have signed but not ratified it and 19 of the signatories, entangled in the European Union internal decision-making procedures, have delayed the ratification process. Andorra, Bosnia and Herzegovina, the Czech Republic, Ireland, Malta, Monaco, North Macedonia, Romania, Sweden and Turkey have not signed the convention.
4. Many governments have taken concrete measures and are making significant efforts, which are to be praised. To date 32 national platforms are operational, although several do not have a formal framework. Many countries have updated their legislation to comply with the convention and co-operation through informal networks is active. However, the Assembly considers that sport integrity matters remain generally low on the political agenda; this has not helped to terminate the continuing institutional deadlock imposed by Malta over the definition of "illegal sports betting" in the convention. The Assembly finds no justification for Malta's position other than deliberately obstructing the convention's entry into force, whether by legal manoeuvres, attempts to modify the convention or simply to delay the necessary reforms in the country itself.
5. This stalemate situation continues to generate discomfort within the European Union (EU) institutions and among EU member States. The Assembly welcomes the recent conclusion of the meeting of the Council of the EU sports ministers in which they agreed to "[e]xamine ways, together with the Commission, to solve the deadlock with regard to the Council of Europe Convention on the Manipulation of Sports Competitions... in view of enabling the EU and all its Member States to complete their respective ratification processes and accede to the Convention as soon as possible".
6. The Assembly denounces the new attempt by Malta to amend the definition of "illegal sports betting" in the convention under the provisions of its Article 38 as yet another tactic to advance its cause and to neutralise the existing definition, thereby significantly weakening the system established by the convention. The Assembly expresses its opposition to any move leading to amending the convention shortly after its entry

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 12 October 2020 (see [Doc. 15116](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Roland Rino Büchel).
See also [Recommendation 2178 \(2020\)](#).



into force. It underlines that amendments to a convention, if any, should build on the experience gained through its implementation and be aimed at strengthening the system and at ensuring its consistency with evolving situations, but certainly not at weakening it. Requesting an amendment would paralyse the effective implementation of the convention. In addition, it would challenge the Council of Europe treaty-making process and set an unfortunate precedent, which could pave the way for other possible challenges against new Council of Europe conventions after their adoption.

7. The Assembly is concerned that the prolonged deadlock seriously hampers progress on many issues that require urgent international attention, including introducing stricter regulations for responsible sports betting. It also undermines the setting up of effective data exchange, judicial co-operation and intelligence-sharing mechanisms, and it curtails the possibility to deal effectively with key issues related, *inter alia*, to transparency and conflict of interest, and to prevent abuses of a position as sponsor, data provider, integrity service provider, part-owner of a sports club or competition stakeholder to facilitate the manipulation of a sports competition or to misuse inside information.

8. Many long-term challenges remain for public authorities in addressing the manipulation of sports competitions in order to grasp the complex nature of the issues and find effective approaches to combat associated crime, corruption and money laundering, while working closely with others. This requires aligning sports, sports betting and national law-enforcement and judicial bodies in a collective, coherent and co-ordinated effort to tackle corruption and malpractice in sport and for sports betting operators and regulators to design and implement concrete actions to prevent and deter criminal practices. The time to act is now. Further delays will only benefit criminal networks and undermine the values of sport, which will also jeopardise the values of democracy, the rule of law and human rights. This is particularly dangerous in the present context given the drastic impact of the Covid-19 pandemic on the financial sustainability of sport, which carries a high risk of the further expansion of money laundering, illegal betting and manipulation of sports competitions.

9. In light of the above, the Assembly calls on the Council of Europe member and observer States,

9.1. as regards the ratification of the Macolin Convention, to:

9.1.1. sign and ratify the convention without further delay, if they have not yet done so;

9.1.2. refrain from any actions that could result in weakening any provisions of the convention and the intergovernmental co-operation it promotes;

9.1.3. in particular, in the case of Malta, stop seeking new avenues to amend the definition of “illegal sports betting” enshrined in the convention and sincerely aim at joining it to defend its position as a fully fledged member of the follow-up committee;

9.2. as regards the implementation of the provisions of the Macolin Convention, before or after ratification, to:

9.2.1. building upon the Macolin Roadmap, keep under review or undertake an assessment of the major threats emerging from the different types of sports manipulation in order to set key priority areas and a strategic roadmap to support the formal implementation and functioning of national platforms;

9.2.2. allocate proper resources in order to make sure that national legislation on the manipulation of sports competitions is effectively enforced, taking active and meaningful steps to withhold, entirely or partially, public funding from any sports organisations that do not effectively implement prevention and training programmes or apply regulations for combating manipulation of sports competitions;

9.2.3. widen the outreach and assistance provided to sport governing bodies in order to develop awareness, prevention, education and training for a wide range of participants and competition stakeholders from grassroots sport to high-performance levels;

9.2.4. work with the Council of Europe Secretariat and the convention’s follow-up committee to ensure that national sports and sports betting integrity strategies and action plans are shared, are in line with the Macolin Convention and support its implementation.

10. The Assembly urges European Union institutions to look for a rapid solution to remove the obstacles preventing EU member States from ratifying the convention so that its follow-up committee can start operating with a maximum number of States parties. To this end, it hopes that the European Union presidency will put the issue of the ratification of the Macolin Convention on the agenda of a forthcoming meeting of the Committee of the Permanent Representatives of the Governments of the Member States to the European Union (Coreper I), and that the European Parliament will be active in supporting a positive outcome.

11. The Assembly recalls that national parliaments have a key role to play in adopting legislation and exercising oversight over government activities, notably in cross-border and cross-sectoral policy areas. It therefore calls upon members of relevant committees of national parliaments:

11.1. in particular those of the 31 States whose governments have signed the convention, to encourage its speedy ratification;

11.2. of the countries that have not signed the convention, to request the reasons for the delays or the obstacles that prevent their governments from signing the convention and encourage them to do so.